

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FIRSTBANK PUERTO RICO,

Plaintiff,

-against-

BARCLAYS CAPITAL, INC.,

Defendant.

Civil Action No. 09 Civ. 10317 (GBD)

**MOTION TO ADMIT COUNSEL
PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Daniel S. Weinberger, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of Thomas R. Valen, Esq., Gibbons P.C., One Gateway Center, Newark, NJ 07102, Phone: (973) 596-4885, Fax: (973) 639-6240. THOMAS R. VALEN, Esq. is a member in good standing of the Bar of the States of New Jersey and Pennsylvania. There are no pending disciplinary proceedings against THOMAS R. VALEN, Esq. in any State or Federal court.

Dated: New York, New York
July 29, 2010

Respectfully submitted,

GIBBONS P.C.

By: 

Daniel S. Weinberger

Bar Code: DW2005

Attorneys for FirstBank Puerto Rico
One Pennsylvania Plaza, 37th Floor
New York, New York 10119
Tel.: (212) 613-2000
Fax: (212) 554-9632

JUL 29 2010

DL 328-910693

FILED
2010 JUL 29 PM 3:03
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FIRSTBANK PUERTO RICO,

Plaintiff,

-against-

BARCLAYS CAPITAL, INC.,

Defendant.

Civil Action No. 09 Civ. 10317 (GBD)

**AFFIDAVIT OF
DANIEL S. WEINBERGER
IN SUPPORT OF MOTION
TO ADMIT COUNSEL
PRO HAC VICE**

DANIEL S. WEINBERGER, being duly sworn, hereby deposes and says as follows:

1. I am an Associate at Gibbons P.C., counsel for Plaintiff FirstBank Puerto Rico ("FirstBank") in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff FirstBank's motion to admit Thomas R. Valen, Esq., as counsel pro hac vice to represent Plaintiff FirstBank in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice on March 20, 2006. I am also admitted to the bars of the United States District Court for the Southern District of New York and the United States District Court for the District of Columbia, and am in good standing with this Court.

3. I have known Thomas R. Valen, Esq. since 2009.

4. Mr. Valen is a director at Gibbons P.C.

5. I submit this Affidavit in support of the motion for an order admitting Thomas R. Valen, Esq. to this Court pro hac vice as counsel for Plaintiff FirstBank Puerto Rico in this case

for the purpose of participating in the above-entitled action pursuant to Local Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York. Mr. Valen is also admitted to practice in the United States Supreme Court, United States Court of Appeals for the Third Circuit, District of Columbia Court of Appeals, United States District Court for the Eastern District Wisconsin, and the United States District Court for the Eastern District of New York. I have found Mr. Valen to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.

6. Accordingly, I am pleased to move the admission of Thomas R. Valen, pro hac vice.

7. In support of this motion, I attach as Exhibits A and B, respectively, Certificates of Good Standing from the Supreme Court of New Jersey and the Supreme Court of Pennsylvania.

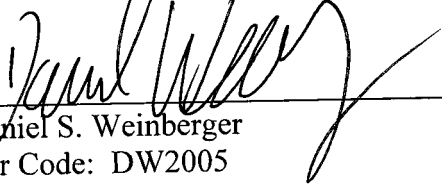
8. I respectfully submit a Proposed Order granting the admission of Thomas R. Valen, Esq., pro hac vice, on behalf of Plaintiff FirstBank Puerto Rico, which is attached hereto as Exhibit C.

WHEREFORE, it is respectfully requested that the motion to admit Thomas R. Valen, pro hac vice, to represent Plaintiff FirstBank Puerto Rico in the above captioned matter, be granted.

I declare under penalty of perjury that the foregoing is true and correct.

July 29, 2010
New York, New York

Respectfully submitted,



Daniel S. Weinberger
Bar Code: DW2005

Sworn to and subscribed
to before me this 29th day
of July, 2010.



Notary Public

MARTIN BRECH
Notary Public, State of New York
No. 4977428
Qualified in Putnam County
Commission Expires April 20, 2011

Supreme Court of New Jersey



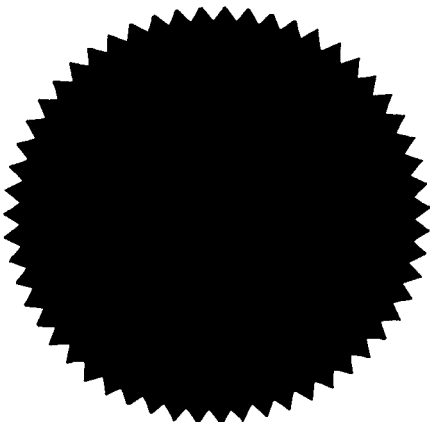
Certificate of Good Standing

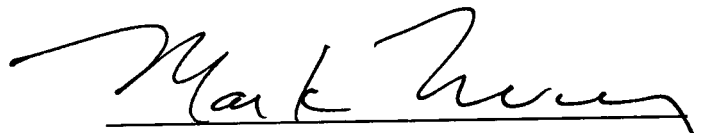
This is to certify that **THOMAS R VALEN**
(No. **028271994**) *was constituted and appointed an Attorney at Law of New*
Jersey on **December 19, 1994** *and, as such,*
has been admitted to practice before the Supreme Court and all other courts of this State
as an Attorney at Law, according to its laws, rules, and customs.

I further certify that as of this date, the above-named is an Attorney at Law in
Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if
the Court's records reflect that the attorney: 1) is current with all assessments imposed as a
part of the filing of the annual Attorney Registration Statement, including, but not limited
to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not
suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this
State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-
12.

Please note that this Certificate does not constitute confirmation of an attorney's
satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice
law in this State.

In testimony whereof, I have
hereunto set my hand and
affixed the Seal of the
Supreme Court, at Trenton, this
7TH *day of* **July**, **20** **10**.




Clerk of the Supreme Court
-453a-



Supreme Court of Pennsylvania

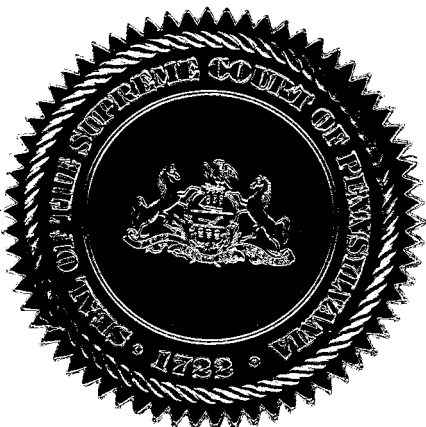
CERTIFICATE OF GOOD STANDING

Thomas Robert Valen, Esq.

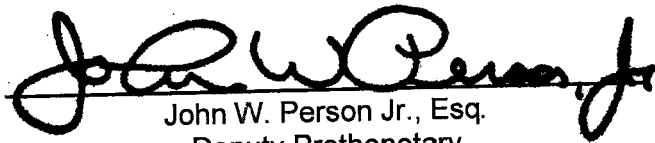
DATE OF ADMISSION

February 24, 1995

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal
Dated: July 21, 2010**


John W. Person Jr., Esq.
Deputy Prothonotary

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FIRSTBANK PUERTO RICO,

Plaintiff,

-against-

BARCLAYS CAPITAL, INC.,

Defendant.

Civil Action No. 09 Civ. 10317 (GBD)

**[PROPOSED] ORDER FOR
ADMISSION PRO HAC VICE OF
THOMAS R. VALEN**

UPON MOTION OF Daniel S. Weinberger, an associate at Gibbons P.C., attorneys for Plaintiff FirstBank Puerto Rico, pursuant to Rule 1.3(c) of the Rules of the United States District Court for the Southern District of New York, to admit pro hac vice Thomas R. Valen, Esq., and said sponsor's affidavit in support thereof,

IT IS HEREBY ORDERED that Thomas R. Valen, Esq. hereby is permitted to practice pro hac vice as counsel for Plaintiff FirstBank Puerto Rico in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of the Court.

Dated:
New York, NY

Hon. George B. Daniels
United States District Judge

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FIRSTBANK PUERTO RICO,

Plaintiff,

-against-

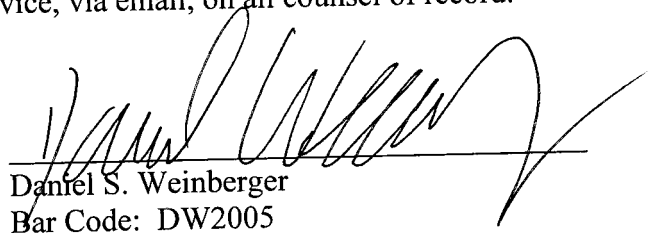
BARCLAYS CAPITAL, INC.,

Defendant.

Civil Action No. 09 Civ. 10317 (GBD)

CERTIFICATE OF SERVICE

This is to certify that on July 29, 2010, I served copies of the Motion to Admit Counsel Pro Hac Vice, Affidavit of Daniel S. Weinberger in support of Motion to Admit Counsel Pro Hac Vice, Proposed Order, and Certificate of Service, via email, on all counsel of record.



Daniel S. Weinberger
Bar Code: DW2005